

01-12-04 Image RCE
PTO/SB/30 (10/01)Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provided for continued examination of a utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

<i>Application Number</i>	09/762,694
<i>Filing Date</i>	April 6, 2001
<i>First Named Inventor</i>	Hacker et al.
<i>Group Art Unit</i>	1616
<i>Examiner Name</i>	S. Mark Clardy
<i>Attorney Docket Number</i>	514413-3866

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1.	Submission required under CFR 1.114.
a.	<input type="checkbox"/> Previously submitted <ul style="list-style-type: none"> i. <input type="checkbox"/> Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on _____ (Any unentered amendment(s) referred to above will be entered) ii. <input type="checkbox"/> Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____ iii. <input type="checkbox"/> Other _____
b.	<input checked="" type="checkbox"/> Enclosed <ul style="list-style-type: none"> i. <input checked="" type="checkbox"/> Amendment/Reply ii. <input type="checkbox"/> Affidavit(s)/Declaration(s) iii. <input type="checkbox"/> Information Disclosure Statement (IDS) iv. <input type="checkbox"/> Other _____
2.	Miscellaneous
a.	<input type="checkbox"/> Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(l) required)
b.	<input type="checkbox"/> Other _____
3.	Fees The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed. <ul style="list-style-type: none"> a. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any additional fees, or credit any overpayments, to Deposit Account No. 50-0320. b. <input checked="" type="checkbox"/> Check in the amount of \$770.00 is enclosed for the following: <ul style="list-style-type: none"> i. <input checked="" type="checkbox"/> RCE fee required under 37 CFR 1.17(e) ii. <input type="checkbox"/> Extension of time fee (37 CFR 1.136 and 1.17) iii. <input type="checkbox"/> Other _____ c. <input type="checkbox"/> Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Mark W. Russell	Registration No. (Attorney/Agent)	32,514
Signature		Date	January 9, 2004

CERTIFICATE OF MAILING OR TRANSMISSION

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Name (Print/Type)	Saddam Ahmed	Date	January 9, 2004
Signature			

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PATENT
514413-3866

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : HACKER ET AL.
Serial No. : 09/762,694
For : HERBICIDAL COMPOSITIONS FOR TOLERANT OR
RESISTANT SUGAR BEET CROPS
Filed : APRIL 6, 2001
Examiner : S. MARK CLARDY
Art Unit : 1616
Confirmation No: 7835

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Saddam Ahmed

(Typed or printed name of person mailing paper or fee)

Saad

(Signature of person mailing paper or fee)

**PRELIMINARY AMENDMENT WITH A REQUEST FOR CONTINUED EXAMINATION
UNDER 37 C.F.R. §1.114**

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Advisory Action dated October 31, 2003 and to the Notice of Appeal filed on November 7, 2003, Applicants respectfully submit a Request for Continued Examination (RCE) and this Preliminary Amendment. A check in the amount of \$770.00 in payment for the filing of the RCE has been included with this paper. No other fees are believed to be occasioned by this paper, however any additional fees or any overpayment in fees, may be charged or credited to Deposit Account No, 50-0320.